

Department of Marine Resources

NOTICE OF AGENCY RULE-MAKING PROPOSAL

RULE TITLE: Chapter 26.07(1) Sea Urchin Harvesting Season ~~2007-2008~~ 2008-2009 – Zone 1

CONCISE SUMMARY: For purposes of conservation pursuant to 12 M.R.S.A. §6171, §6171-A and §6749 this regulation establishes season limits for the taking of sea urchins by divers, rakers, trappers, and draggers in **Zone 1** for 2008-2009. The Department proposes a 10 day season for divers, trappers, rakers and draggers in 2008-2009, which was the same length of season in 2007-2008. The Sea Urchin Zone Council recommended the selection of these particular days. Divers, rakers and trappers will have a choice of fishing 10 days in September or 10 days in December.

STATUTORY AUTHORITY: 12 M.R.S.A. §6171, §6171-A and §6749

PUBLIC HEARINGS:

Monday, **June 23, 2008**, 6:00 PM*, Ellsworth City Hall (Auditorium), One City Hall Plaza, Ellsworth (**The Zone 2 season proposed rules will be followed by proposed season rules for Zone 1; see separate rulemaking notice.*)

Wed., **June 25, 2008**, 6:00 PM*, Department of Marine Resources, Large Conference Room, 200 McKown Point Road, West Boothbay Harbor (**The Zone 1 season proposed rules will be followed by proposed season rules for Zone 2; see separate rulemaking notice.*)

If you are unable to attend a hearing persons are encouraged to submit written comments from the receipt or posting of this notice through the deadline listed.

DEADLINE FOR COMMENTS: July 7, 2008

AGENCY CONTACT PERSON: Margaret Hunter (tel: 207-633-9500)

Maine Written Comments to: Department of Marine Resources, attn L Churchill

ADDRESS: PO Box 8, West Boothbay Harbor, Maine 04575-0008

WEB SITE: <http://www.maine.gov/dmr/rulemaking/>

FAX: (207) 633-9579; TTY: (207) 633-9500 (Deaf/Hard of Hearing) Hearing facilities: If you require accommodations due to disability, please contact Amanda Beckwith, at (207) 287-7578.

Proposed rulemaking – see underlined or ~~deleted~~ text below:

Chapter 26 - Sea Urchin Regulations

26.07 Sea Urchin Harvesting Season ~~2007-2008~~ 2008-2009 pursuant to 12 M.R.S.A. §6749

1. Zone 1 [as defined by 12 M.R.S.A. §6749-N(1)]

A. Early season for divers, trappers and rakers

The Zone 1 season for divers, trappers and rakers who have certified the early season on forms provided by the Commissioner, is open ~~September 10 to 12, September 17 to 20 and September 24 to 26, 2007~~ September 15 to 18, September 22 to 25, and September 29 and 30, 2008 inclusive.

B. Late season for divers, trappers and rakers

The Zone 1 season for divers, trappers and rakers who have certified the late season on forms provided by the Commissioner, is open ~~December 3 and 4, December 10 to 12, December 17 to 19 and December 26 and 27, 2007~~ December 8 and 9, December 15 to 17, December 22 to 24, and December 29 and 30, 2008 inclusive.

C. Season for draggers [in accordance with 12 M.R.S.A. §6749-V]

The Zone 1 season for draggers is open ~~December 3 to 5, December 10 to 13 and December 17 to 19, 2007~~ December 1 to 3, December 8 to 10, and December 15 to 18 inclusive.

D. Designation of Zone 1 early or late season:

- (1) A person who holds a sea urchin diving or raking/trapping license for Zone 1 may not harvest sea urchins in Zone 1 unless that person certifies on forms provided by the Commissioner that the person will fish for or take sea urchins during either the early season or the late season.
- (2) A person who has certified the early or late season may, between May 1st and September 1st change that certification to the other time period as the time period in which that person will fish for or take sea urchins.

Additional information:

A complete copy of Chapter 26 is available to download from: <http://www.maine.gov/sos/cec/rules/13/188/188c026.doc>

This proposed rule seeks to conserve the sea urchin resource for utilization in the future, and therefore should have a positive impact on small business (sea urchin harvesters) in the long term. The continued severe degree of the season reduction will impose hardship upon Maine's sea urchin industry in the short term. However, no alternative regulatory approach is available at this time that would lessen the economic burdens imposed upon the regulated citizens, without jeopardizing the viability of the urchin stock for the future.

If you are unable to attend a hearing persons are encouraged to submit written comments from the receipt or posting of this notice through close of business on the deadline for comments listed.

Insert this page as if underlined:

Proposed 2008 - 2009 Sea Urchin Season For Maine Zone 1

☒ = Open

☐ = Closed

Early Season for Divers, Rakers, and Trappers

September 2008						
S	M	Tu	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15 O	16 O	17 O	18 O	19	20
21	22 O	23 O	24 O	25 O	26	27
28	29 O	30 O				

Late Season for Divers, Rakers, and Trappers

December 2008						
S	M	Tu	W	Th	F	S
	1	2	3	4	5	6
7	8 O	9 O	10	11	12	13
14	15 O	16 O	17 O	18	19	20
21	22 O	23 O	24 O	25	26	27
28	29 O	30 O	31			

Season for Draggers

December 2008						
S	M	Tu	W	Th	F	S
	1 O	2 O	3 O	4	5	6
7	8 O	9 O	10 O	11	12	13
14	15 O	16 O	17 O	18 O	19	20
21	22	23	24	25	26	27
28	29	30	31			

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2006 - 2007 Sea Urchin Season For Maine Zone 1

☐ = Open

☐ = Closed

Early Season for Divers, Rakers, and Trappers

September 2006						
S	M	Tu	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11 O	12 O	13 O	14	15	16
17	18 O	19 O	20 O	21 O	22	23
24	25 O	26 O	27 O	28	29	30

Late Season for Divers, Rakers, and Trappers

December 2006						
S	M	Tu	W	Th	F	S
					1	2
3	4 O	5 O	6	7	8	9
10	11 O	12 O	13 O	14	15	16
17	18 O	19 O	20 O	21	22	23
24	25	26 O	27 O	28	29	30
31						

Season for Draggars

December 2006						
S	M	Tu	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11 O	12 O	13 O	14	15	16
17	18 O	19 O	20 O	21 O	22	23
24	25	26 O	27 O	28 O	29	30
31						